

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CONCORD FARMS, INC. AND CONCORD	:
FARMS, INC., d/b/a SKYLINE SALES,	:
Plaintiffs,	: <u>MEMORANDUM AND ORDER</u>
	:
- against -	: 2012 Civ. 2302 (AMD)(MDG)
	:
SUN EAST TRADING CORP., <u>et. al.</u> ,	:
Defendants,	:
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DONNELLY, District Judge.

This action concerns the sale of produce under the Perishable Agricultural Commodities Act, 7 U.S.C. §499a et seq. In a Report and Recommendation issued on November 3, 2015, Magistrate Judge Marilyn D. Go recommended that the Court strike the Answer of Defendant Sun East Trading Corp. and enter default against it, because the corporation did not retain new counsel. Judge Go also recommended that the case caption be amended to conform to the Plaintiffs' Amended Complaint. No party has objected to Judge Go's Report and Recommendation within the time prescribed by 28 U.S.C. §636(b)(1).

In reviewing an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Where, as here, no party has objected to the magistrate judge's recommendation, "a district court need only satisfy itself that there is no clear error on the face of the record." *Urena v. New York*, 160 F.Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985)).

This Court has reviewed Judge Go's thorough and well-reasoned opinion, and finds no error. Accordingly, it is hereby ORDERED that Defendant Sun East Trading Corp.'s Answer is stricken and that default be entered against it. In addition, the case caption is amended to substitute Jian Cong Zhang for Cong Zhang, and Jei Chen for Jian Jei Chen. The Clerk of Court is directed to mail a copy of this Order to Defendant Sun East Trading Corp. and to the *pro se* Defendants.

SO ORDERED.

s/Ann M. Donnelly
Ann M. Donnelly
United States District Judge



Dated: Brooklyn, New York
January 4, 2016